GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

P.S. - PR&RD Department - Allegations of irregularities in the execution of C.C Road works under MGNREGS in Vizianagaram District taken up by PRI Division, Parvathipuram, Vizianagaram District – Disciplinary proceedings initiated against Sri K. Muralidhar, former Assistant Executive Engineer, PRISD, Kurupam, Vizianagaram District – Charge partially proved in the regular inquiry - Government disagreed with the findings of I.A and communicated disagreement factors – Charged Officer not submitted his representation - Imposition of penalty of withholding of one increment without cumulative effect under Rule 9 (iv) of A.P.C.S (CC&A) Rules, 1991 besides recovery of an amount of Rs. 1,90,897.50 towards - Orders – Issued

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PANCHAYAT RAJ AND RURAL DEVELOPMENT (VIG.I) DEPARTMENT

G.O.RT.No. 214 **Dated: 15-04-2021**

Read the following:-

1. From the DG, V&E, Vigilance Report No. 12A (C.No. 481/V&E/E2/2014), dt: 30.08.2014.
2. G.O.Rt.No.942, PR&RD (Vig.I) Department, Dt.05.10.2015.
3. From ENC, PR, AP, Lr.No.Vig.I(1)/2779/2014, Dt.28.01.2016, 18.05.2016, 20.07.2016 & 31.10.2017.
4. G.O.Rt.No.960, PR&RD (Vig.I) Department, Dt.27.07.2018.
5. From SE, PR(FAC), Vizianagaram, Lr.Rc.No.52/2010/A1, Dt.28.11.2018.
6. Govt. Memo NO. 16076/Vig. I/2014, PR&RD (Vig. I) Department, Dt: 02.06.2020.
7. From the ENC,PR, Letter No. Vig. I(1)/ 2779/2914, dt: 04.12.2020.

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ORDER:

Based on the recommendations of the Director General, Vigilance & Enforcement Department made in the reference 1st read above, on the allegations of irregularities in the execution of C.C Road works under MGNREGS Programme for the financial year 2012-13 in Vizianagaram District, Government in the reference 2nd read above, have initiate departmental proceedings duly framing following article of charge against Sri K.Muralidhar, former AEE, PRISD, Kurupam, Vizianagaram District, with a direction to submit his written statement of defence :

Charge :

That Sri K.Muralidhar, former Assistant Executive Engineer, PRI SD Kurupam Vizianagaram District has committed certain

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irregularities in execution of inferior quality CC road with M30 grade in work i.e. Providing internal roads with CC drains in SC ST colonies 2012-13 and executed in Chandrampet (M) when the work sanctioned for Vikramapuram(H) of Vikramapuram (GP) Est.Rs.10.07 lakhs under MGNREGS programme for the financial year 2012-2013 in Parvathipuram division, Vizianagaram district and caused loss to Govt. for an amount of Rs.3,81,795/-.

2. In the reference 3rd read above, the Engineer-in-Chief, PR has submitted the written statement of defence of the C.O., Sri K.Muralidhar, Assistant Executive Engineer (PR). After examination of the matter, Government have decided to conduct regular inquiry into the charges framed against the charged officer Sri K.Muralidhar, Assistant Executive Engineer (PR) and also nine (9) other co-charged officer involved in the case. Accordingly, Government in the reference 4th read above, have appointed the Superintending Engineer, Panchayat Raj, Vizianagaram District as Inquiry Officer for conducting enquiry against all the ten (10) charge officers.

3. In the reference 5th read above, the Inquiry Officer has submitted inquiry report, wherein the inquiry officer, among others, has given findings against the C.O. Sri K.Muralidhar, Assistant Executive Engineer (PR) and held as follows:-

1). This work was sanctioned in Vikrampuram habitation of Vikrampuram Grampanchayat of Komarada. (M) . But the field staff have executed this work in Two bits in which one bit was executed in Vikrampuram habitation and other bit was executed in Chandrampeta habitation, of Vikrampuram (GP) against the sanction and MGNREGS Guidelines for which the measurement & check measurement officers are responsible as per the clause 1 of Memo No. 082/EGS/DEE(SS)/2011Dt 01-07-2011 of the Commissioner, RD Hyderabad.

2) The version of the C.O. in connection with deficiencies noticed i.e., strength of M30 and sand filling are acceptable.

3) The Vigilance and Enforcement verified the work and recommended Rs.3,81,795/- recovery towards deficiency in the work. The Executive Engineer, PRI Division, Parvathipuram has not recovered proposed amount so far.
Hence, the charge is partially proved.

4. The Government, have examined the enquiry report and observe that "as per the findings & concluding remarks of the Inquiry Officer, the alleged irregularities committed have been established. Hence, the Government have considered that the charge is 'proved" but not as partially proved, as held by the Inquiry Officer.

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5. Accordingly, in the reference 6th read above, Government have communicated the copy of the inquiry report of the Inquiry Officer dt: 28.11.2018 together with the above disagreement factors to C.O. Sri K.Muralidhar, Assistant Executive Engineer (PR) under Rule 21 (2) of A.P. Civil Services (Classification, Control & Appeal) Rules, 1991 with a direction to submit his representation, if any on the above disagreement factors .

6. In the reference 7th read above, the Engineer-in-Chief, Panchayat Raj, AP, Vijayawada, among others, has furnished dated acknowledgment copy according to which the reference 6th cited, got been served on the charged officer on 28.10.2020 itself. But the charged officer has not submitted his representation in the matter.

7. Government have examined the matter and observed that as the Charged Officer did not submit his representation within the stipulated time, it has been construed that the charged officer has no representation to offer and decided to proceed in the matter.

8. Further, as per the Amendment to the to Article 300 of A.P. Financial Code, Volume-I made as per orders issued in G.O.Ms.NO.33, Finance (TFR.I) Department, Dt:9.2.2006, that "recovery from the Government servant for the losses by misappropriation of Government money shall be, recovery of the misappropriated amount / loss caused at bank rate as fixed by RBI + 2%.

9. Government observe that, in the instant case, the charged officer C.O. Sri K. Muralidhar, Assistant Executive Engineer (PR) being the primary executing officer is responsible for substandard execution and causing loss of Rs. 3,81,795/- for the above work and recovery proposed by the V&E itself indicate that there was substandard execution carried out. The work was executed by charged officer Sri K. Muralidhar, Assistant Executive Engineer (PR), Sri K.S. Chalapathi Rao, Dy.EE (PR) and Sri B.V.V. Satyanarayana Murthy, E.E (PR) respectively. As such, the above loss of Rs.3,81,795/- has been apportioned among the above three (3) responsible PR Engg. Personnel in the ratio of 5:3:2 (Section Officer (AEE/AE: Dy.EE: EE). The C.O. Sri K. Muralidhar, Assistant Executive Engineer (PR) is responsible for Rs.1,90,897.50 for this work.

10. Accordingly, Government after careful examination of the matter, have decided and hereby impose a penalty of stoppage of one (1) annual grade increment without cumulative effect against the Charged Officer Sri K. Muralidhar, Assistant Executive Engineer (PR) under Rule 9 (iv) of A.P.C.S (CC&A) Rules, 1991 besides recovery of the above loss of Rs.1,90,897.50 along with Bank rate + 2% as per Article 300 of A.P. Financial Code Volume-1 from him in lumpsum.

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11. The Engineer-in-Chief, Panchayat Raj, A.P, Vijayawada is directed to take necessary action and to recover the above amount accordingly from the charged officer in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

GOPAL KRISHNA DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Engineer in Chief, Panchayat Raj, Andhra Pradesh,
Vijayawada.
Sri K.Muralidhar, former Assistant Executive Engineer, PRISD,
Kurupam, Vizianagaram District
through Engineer in Chief, Panchayat Raj, A.P., Vijayawada.
(with a request to serve the order on the individual and furnish the dated acknowledgment copy)
Copy to:-
The Secretary to Vigilance Commission,
Andhra Pradesh Vigilance Commission, Velagapudi.
SF/SC.

//Forwarded :: By Order //

SECTION OFFICER